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Journal of the proceedings of the special session of the General Assembly of the State of Arkansas which was begun and held at Washington Hempstead county Arkansas on Thursday the 22 day of September 1864 in accordance with the proclamation of the Governor dated August 9th 1864

Thursday September 22nd 1864

At 10 o'clock A.M. the President of the Senate Hon Thomas Fletcher of Arkansas County took the chair and called the senate to order

The roll was called by S.H. Baylor assistant secretary of the Senate when the following members answered to their names

Mesprs Bunch, Embry, Hampton, Smith Stillwell, Trimble, Williams, & Mr President — 8

Hon Henry F Carter Senator elect from the counties of Crawford & Franklin appeared and after taking the oath of office which was administered by Hon E H English took his seat

Message from the House of Representatives by the clerk

Mr President — I am instructed to inform your honorable body That the House has appointed a committee consisting of Mesprs Scott, Neal, & Collins to act with such committee as the Senate may appoint to make arrangements for attending the funeral of Hon Chas B Mitchell

On motion of Mr Williams the Senate concurred in the resolution of the House and the President appointed as a committee to confer with the committee of the House Mesprs Williams & Hampton

On motion of Mr Hampton the Senate took a recess until 2 o'clock P M

2. o'Clock P.M.

The Senate met
Roll called
Present Mesprs Bunch, Carter, Embry, Hampton Smith, Stillwell, Trimble Williams & Mr President. — 9

Mssrs Williams & Hampton the committee appointed to make arrangements for attending the funeral of Hon Chas B. Mitchell made the following report which was adopted

The committee appointed on the part of the Senate to confer with the committee of the House to consider of the necessary preparations to be made for the funeral of Hon Chas B Mitchell leg leave to report the following arrangements

That the two Houses preceded by their officers conducted by Gen Edmund Burgevin as marshall shall form a procession at the Capitol at 20 minutes to 3 o'clock when the procession shall move to the ~~Residence~~ of the deceased and there ~~form~~ a procession on the part of the Masonic fraternity which will conduct the burial services That the Marshall appointed by the committee shall confer with the marshall appointed by the Masonic fraternity and make such arrangements in detail as are proper That in the procession of the two Houses the Senate shall take precedence.

Respectfully submitted

Williams
Hampton } Com

On motion of Mr Hampton the Senate adjourned until 10 o'clock to-morrow morning

Thos. J. Fletcher
President

Friday September 23d 1864

The Senate met
Roll called
Present — Mssrs Bunch, Carter, Embry, Hampton, Smith, Stillwell, Trimble, Williams, & Mr President — 9
The Journal of yesterday was read, approved & signed
On motion of Mr Bunch the Senate took a

recess until 2 o clock P.M.

2. o Clock P.M.

The Senate met
Roll called
Present— Messrs. Bunch, Carter, Embry, Hampton, Stillwell, Trimble, & Mr President—7
On motion of Mr Hampton the Senate adjourned until to-morrow morning 9 o clock

Thos. Fletcher
President

Saturday September 24th 1864

The Senate met
Roll called
Present— Messrs— Bunch, Carter, Embry, Hampton, Smith, Stillwell, Trimble Wallace Williams, & Mr President—10
The journal of yesterday was read approved & signed
Mr Williams offered the following resolution
Resolved That a committee of three be appointed to ascertain under the opinion of the Supreme Court delivered to the House of Representatives this morning, what number of Senators are necessary to constitute a quorum
Which was read and on his motion adopted
Mr President appointed Messrs Williams. Stillwell & Hampton such committee
The committee appointed to ascertain what number of Senators are necessary to constitute a quorum under the opinion of the Supreme Court made the following report
Mr President
The committee appointed to inquire whether there is a quorum of the Senate present under the opinion of the Supreme court— beg leave to report— That they have investigated the facts, and find that by a strict construction of that opinion, the Senate should consist of a majority of two thirds of the members of that part of the State, not held by the enemy, and such other Senators, as may present themselves from beyond

the enemies lines — There are eight Districts outside of their lines. Seventeen inside, of the District inside the lines. five are represented, and five from those Dist=icts outside, The nine Districts, should and are bound to be included in reckoning for a quorum hence by adding nine and five together, we have fourteen, of which ten is necessary to constitute a quorum, the number is now present, and according to the opinion of the Court. are competent under the Constitution to act

Williams } committee
Hampton
Stillwell

The President announced a quorum present, and stated that in consequence of the absence of John D. Kimball Secretary of the Senate, and L. W. Woodard Enrolling Secretary, the vacancies would have to be supplied.

Mr Trimble nominated Dr S. H Bay==lis of Lafayette county present assistant Secretary of the Senate, for the office of Secretary, there being no other nomination he was on motion of Mr Trimble unanimously declared elected & after taking the oath of office which was administered by the President of the Senate he entered upon the discharge of his official duties

Mr President announced, that in consequence of the election of S. H Bayliss to the office of Secretary. the vacancy in the office of Assistant Secretary would have to be supplied

Mr Stillwell nominated G. P. Walton of Orew County on motion of Mr Stillwell

No other nominations being made, he was unanimously declared elected. and after having taken the oath of office administered by the President of the senate entered upon the discharge of his duties

Mr President declared nominations for Enrolling Secretary in order

Thereupon Mr Williams nominated N. D Hol=mes of Dallas County

No other nominations being made. on motion of Mr Williams, he was unanimously declared elected

The President appointed as such committee
Messrs Trimble & Wallace

and having taken the oath of office, which was administered by the President of the Senate, he entered upon the discharge of his official duties

Mr Hampton offered the following resolution

Resolved that the Secretary, be instructed to inform the House of Representatives, that the Senate is organized and ready to proceed to business

Which was on his motion adopted

Message from the House of Representatives by Clerk

Mr President

I am instructed to inform your Honorable body, that the House has organized, by electing L.F. Lowery of Lincoln county Speaker, Edmund Burgevin Clerk James A Hutchins assistant Clerk Thomas H Walker Enrolling Clerk, and G.L. McKnight Door Keeper and are now ready to proceed to business

Edmund Burgevin Clerk

Mr Trimble offered the following Resolution

Resolved. That a committee of two be appointed on the part of the Senate, to act with such committee as may be appointed on the part of the House of Representatives, to wait upon his Excellency the Governor and inform him that both Houses of the General Assembly, are now organized and ready to receive any communication, which he may think proper to make, and that the House of Representatives be requested to concur therein

Which was on his motion adopted *

Mr Bunch offered the following Resolution

Resolved That the rules of the last Session of the Senate be adopted for the government of the present. which was on his motion adopted

Message from the House of Representatives by the Clerk

Mr President

The House has concurred in the resolution of the Senate and appointed Messrs Scott, Carroll and Gantt, to act in conjunction with the committee of the Senate to inform his excellency the Governor, that the two Houses have organized and are ready to receive any communication he may think

To wait

Edmund Burgevin
Clerk of the House

On motion of Mr Williams the Senate took a recess until two o'clock P.M.

Two o'clock P.M.

The Senate met

Message from the House of Representatives by the clerk

Mr President

The following resolution has been passed by the House of Representatives

Resolved. The Senate concurring that the two Houses of the General Assembly meet in convention, in the Hall of the House of Representatives on to day at 4 o'clock P.M. to receive the message of His Excellency the Governor

Edmund Burgevin
Clerk of House

Mr Trimble from the joint committee appointed to wait on his Excellency the Governor, made the following report

Mr President

The joint committee of the two Houses appointed to wait on his Excellency the Governor, and inform him that both Houses of the general Assembly are now organized and ready to receive any communication that he may think proper to make, beg leave to report. That they have performed that duty, and that His Excellency, will make a communication to both Houses at 4 o'clock P.M. of this day

Trimble Chairman
On the part of the Senate

On motion of Mr Embry the Senate concurred in the resolution of the House to meet in convention at 4 o'clock P.M. in the Hall of the House of Representatives to receive the message of His Excellency the Governor

On motion of Mr Williams the opinion of the Supreme court, which was read before the organization of the Senate was ordered to be spread upon

the journal of the Senate as follows

Washington Arkansas
24th September 1864

To the Honorable
The Speaker of the House of Representatives
of the General Assembly of the State of Arkansas
Sir—

The undersigned Judges of the Supreme Court of the State, have considered the question propounded to them, by the Honorable, the House of Representatives, through the Committee appointed for that purpose, and respectfully submit the following opinions as the result of their deliberations upon the grave and important question submitted to them

E. A. English
Albert Pike judges

Opinion

The constitutional question on which our opinion is asked, is, briefly this: Whether the Houses of the General Assembly can organize, and proceed to the business of legislation, in the present condition of the State, the Senate with less than Seventeen members, or the House of Representatives with less than fifty one?

The constitution fixes the number of Senators at not less than twenty five, nor more than thirty five, and that of Representatives at not less than seventy six, nor more than one hundred; and provides as follows in regard to a quorum of each House:— "Two thirds of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members"

There are seventy six members of the House apportioned among the different Counties. Fifty one members are therefore required to constitute a quorum, if the representatives of all the counties are to be considered, under present circumstances, as members; a majority of whom, or twenty six, voting for a bill, it will pass the House. The counties north of the Arkansas river, with three or more South of it, may be considered as within the lines of the Federal army, which also holds the capital of the State. These counties send fifty two, out of the seventy six members, to the House of Representatives. Persons claiming to represent part of the counties of the State..

some months since were in convention at Little Rock U. under the protection of the enemies arms, and promulgated what is claimed to be a new constitution for the State, and set on foot a government which claims to exercise the powers of Government of the State. A legislature sitting under it has enacted laws, which a person as Governor administers; and other persons who submit to that Government, have attempted to obtain, seats in the Congress of the United States as Senators and Representatives.

Of those counties of the State over which the Federal force extends are unrepresented in the true legislature it is impossible that there should be a quorum in the House or Senate and in point of fact there are now present less than Fifty representatives. The language of the constitution in regard to what number shall constitute a quorum is too plain and precise to admit of the application of any rule of construction or interpretation.

It is a cardinal principle in regard to all instruments that where the language is plain and unambiguous there is no room for construction

We could not consent to add to this inflexible principle of law the qualification that to exclude construction and interpretation the language must not only be plain and unambiguous but the condition of things must remain the same as at the time of making the instrument. The principles of law are eternal and immutable the exigencies of necessity are only for the day to-morrow these disappear like the mist but the principles remain like the stars.

The question does not seem to us to be one of construction. By the Constitution two thirds of the members of the House must be present to constitute a quorum It is for us to inquire only who in law & fact are members of the House, or in other words what counties are, or are not entitled to be represented in the Legislature. We do not see how any construction could void this positive provision that two thirds of the members must be present. The word

"House" as used in the clause in question is equivalent to the phrase "members of the House"
And this question really is whether this provision of the Constitution aiding him the public enemy can by conquering and holding part of the State killing and incarcerating, or otherwise preventing the attendance of part of the members of the House and preventing the legal holding of elections to fill vacancies, forbid those left than two thirds in number, who do attend from organizing as a House.
In other words whether a nation with which the State is at war can thus by conquest and occupation of part of the Counties of the State. Stop the wheels of the State government by annihilating its Legislative department in the absence no appropriations can be made for the public service and paralysis of the Executive and judiciary departments must therefore shortly follow.
It is a question of life or death of the legal government of the State and as the State exist only through its organism, of the State itself.
For unless legal provisions can be made, by means of which the citizens in the Confederate military service can vote elsewhere than in their Counties, it will not be possible to obtain a quorum of members at the regular session.
The same question would arise, if part of the Counties were in armed rebellion, there being no foreign war; as if they had united together to form a new and separate State government, as has been done in western Virginia.
Of the infallible instincts, of reason and justice without waiting for the process of logic or argument, tells us that it is impossible, that the public enemies can so paralize the departments of the State; and prevent her from uttering her wills as law; and by law providing for her safety and defence; can make inevitable the speedy reduction to inactivity, and impotence of the Executive and judiciary; can compel the reluctant and protesting State to disband her troops; can prevent the election by her of Senators to represent her in the Confederate Congress; can, in effect thus strangle the State, and if therefore in the frailty of human

nature, a court should first attain its conclusions, and then seek for reasons to sustain them, there must needs be reasons just and sufficient, in that sound reason of which law is in in large measure the utterance.

If the enemy were to conquer and possess three fourths or nine tenths of the State, the armies of the State or Confederacy holding the residue, and the civil government still in action, and war still waged for the reconquest of the conquered portion, no one could deny the right of the one fourth or the one tenth to carry on a government and legislate, for itself; or that, if it reconquered the rest that legislation would be held to have at the time applied to the country temporarily held by the enemy; and therefore with equal and unerring certainty it must be true, that those conquered counties have the right, if they choose to exercise it, to be represented the legislature, because its enactments may be obligatory on them; no law as yet denying them that right.

The acres of the State, and its counties as so much land, are not the State, it is the people that are the State; and therefore, again, though a county may be held by the enemy's arms, and its people expelled they continue a part of the State, and are entitled to be represented as if they were not exiled.

So long, therefore, as the people of the county unsubdued adhere to the constitutional compact, and hold the field with an army, they and those in arms with them, and those at home elsewhere in the state, who adhere to their adverse fortunes, continue to be in law the state. Rome was so up Rome, when the Gauls ravaged the city, & plucked its Senators by the beard. When Hannibal, after Cannae, menaced the capital, the Senate sold, as part of Rome's possessions, the battle ground on which the Carthaginian army had conquered and where it was still encamped.

In the present case, it is not doubtful that the State subsists, and that it is her legislators who now enquire whether they are entitled to utter her great thoughts, and enforce her will as law. For the enemy does not hold half the surface of the state

Her armies and those of the Confederacy dispute possession with him of that which he has conquered. Over it everywhere her horsemen ride, and on it her hosts encamp. More than nineteen-twentieths of the people, even of the conquered counties, in her armies or at home, are loyal, and adhere to her fortunes.

In our opinion, nothing requires that the state should adopt a new constitution, or amend that which is now the law and rule of her action; whether she can or cannot assemble Fifty-one Members of the House of Representatives. It is the constitution and the organism provided for by it, we repeat, that makes her a state, creating unity of being and action out of the many of her citizens. Off them could be no more a legislature, there would be no state. If but five counties remain unsubdued, the constitution as it is would continue theirs, if it pleased them to maintain it and be governed by it unimpaired. Much more so, is it still the constitution of the state, for so much as remains unconquered, and the loyal people of the conquered portion. No change need be made, by construction or otherwise, in any of its provisions; as little in that which makes three-fourths of the members of each House necessary to constitute a quorum, as in any others. Indeed, unless by means of a convention provided for by legislative acts, or by direct action of two successive legislatures, no change <u>can</u> be made in it; and therefore, if there can be no legislature without a change, there can be no change because there can be no legislature.

As by no construction can less than two thirds of the members of the House be a quorum, the whole inquiry must be, who under the actual circumstances, are in law and fact "<u>the members</u>" of the House.

If the war were now to end, the enemy would, in the absence of any treaty

stipulations. To the contrary, continue to hold the country they now possess, as an integral part of their territory, by the right of conquest, which, during the war creates an inchoate title, ripened into an absolute one at the end of the war, if there be not restoration. That title would relate to the date of the conquest. Laws enacted by the enemy for the government of such country in the meanwhile, would not need to be reenacted, on the title becoming perfect. On the other hand, if the state should recongquer by arms, or regain at peace the country in question, all laws of a general nature in terms applying to the whole state, enacted by the lawful legislature, while the state was dispossessed, would be deemed to have been all the time in force there; in other words, that country would be deemed to have been all the time a part of the state. All acts of the enemy contrary to the laws of the state, all confiscations and forced sales of property, for taxes or otherwise, by the hostile authority, and all titles held under such sales would be held null and void.

During the hostile occupancy of a portion of the state, the title and the possession are separated. There is a disseizin which may or may not ripen into a title. If it does, it will be held to have accrued at the date of the disseizin. The state, meanwhile does not relinquish her sovereignty over so much of her territory; but she must, perforce, admit the fact of adverse possession,— that is, of temporary actual severance from the domain of the state. To her and all her departments, so much of her territory is for a time under another government de facto

If the people of any one or more counties in the possession of the enemy, electing to adhere to the enemy, or to the fraudulent government set up at Little Rock, should refuse to be longer represented

in the legitimate legislature, it would undoubtedly be competent for that body to declare such a county or counties to have ceased de facto to belong to the state, and to be no longer entitled to representation. Treason could not claim, if it deserved, to sit in council with loyalty. nor would the state, in so disfranchising such disloyal counties, relinquish its sovereignty over them, or its claim to their allegiance. It would not admit that they were no longer a part of the state de jure

That decision, or declaration, would not be the enactment of a law, but the declaration of a fact It would declare, not that the people of those counties should no longer be entitled to be represented, but that they had, by their adherence to the public enemy, disqualified and disenabled themselves to be so. The fact therefore, would exist, in the absence of any decision or declaration.

These counties being no longer entitled to representation, the number of members in each House would be to that extent lessened. When members present themselves duly elected in counties held by the enemy, their counties may reasonably be deemed to be still loyal though oppressed; to have elected to adhere to the legitimate government, to claim its protection and to own allegiance to the state. There is no law that refuses representation to a conquered county, merely because it is conquered; its people continuing loyal. But if such counties do not choose to be present by their Senators and Representatives, or if they cannot, they are, for all present practical purposes, as much severed de facto from the state as if sunken by an earthquake or depopulated by pestilence. Prima facie they are so severed by conquest. It may well be under one de facto and another de jure; that is possession by the Sovereign may be lost for the time, and

severed from the title. Presenting themselves by their representatives to claim to participate in the legislation of the state, they protest against the severance, and rebut the presumption that they yield a willing obedience to the hostile government.

Therefore when no members from a county present themselves it will be held that that County has elected to adhere the conquerer, or to the usurping but de facto government, and so to have temporarily ceased to be de facto a part of the State, by direct or known volition. There can in the nature of things, be no better, if indeed any other evidence of its condition. The conquered Counties will properly be deemed entitled to the number of members who present themselves to represent them, and to no more. These may justly be deemed all the "members" from those Counties. They either voluntarily elect to send no more; or are prevented by force. In either case they have and send no other members.

Still the State does not surrender her sovereignty over them. She could retain that, and exclude all the members from conquered Counties if she chose so to enact. If none of her troops came from those Counties, no one could say that exclusion was unjust or without precedent. She receives all who present themselves as known to be loyal, and is under no obligation to admit that they are entitled to more. She submits to the exigencies of fact and necessity the question of her rights depending on the solution to be given by subsequent events. If she reconquers the conquered Counties they will all the time have been part of the State. If she does not, they will have been completely severed from her when first conquered.

There is nothing singular or exceptional in this doctrine of relation. The title of a mortgagee, under foreclosure, relates to the date of his mortgage and in the ordinary case of prescription, as when, for example ten years adverse possession will repell the claim of the owner of the land; though if the owner

reclaim the land before the expiration of the ten years, he will be deemed ~~to have~~ never to have been out of possession; yet, when the ten years elapse the title of the adverse possessor will be deemed to have commenced when lost possession, even if that was by a trespass and disseizin.
And by the civil law, where land was petitioned between joint owners, each was deemed to have owned the share apportioned to him, by a separate title from the begining; though might have held the whole in common for years.

The United States deny the right of the Confederate States to secede from the union, seek to force them back into it by arms, and claims that they are in rebellion — that is, are still, in law a part of the United States. Yet they will not count these States as of their union in determining whether a quorum is present their Senate, or House of Representatives, nor in ascertaining whether any one, is elected President by the Electors

They are right. They do not thereby admit that the Southern states are legally out of the union or no longer states: but they proceed on the same plain principle, that, de facto, these states are severed from the union; although, if they should subjugate them, they will hold that they have been all the time in full force here, and that those of the confederacy are and always were mere nullities in law. They claim the undiminished sovereignty, but admit the severed possession. A country at war with us cannot be represented in our councils; nor a country in flagrant rebellion; nor perhaps strictly juris, could a country conquered by the enemy; because what is conquered is incorporated into the nation that conquers, and its rights as a part of the country to which it formerly belonged are so suspended, that they can no longer be exercised

In Norton vs Bickham, in the Supreme court of Louisiana, May 1863 Merrick ch. J. said

"It will be observed that the article" (of the constitution) "does not say a majority of the members of the State at large but a majority of the members of each House, shall constitute a quorum and so it must be construed, when we have ascertained who are or who are not members of each House"

"The members of the House detained or remaining in that portion of Louisiana which is held by the enemy, and

and over which they are exercising the powers of conquerors, to the absolute exclusion of our own government and the detention of our Senators and Representatives, cannot be considered in all respects entitled to be represented in the Senate and House of Representatives; because that portion of the state has been cut off from the residue by a foreign power with whom we are at war; and it can, by the law of nations, only become ours again by a reconquest or by treaty. We have only an imperfect right left us, a hope of recovering the lost territory by arms or Treaty. If we fail in this, the right of the enemy at the conclusion of the war becomes perfect. Its representation has become impossible as it respects all members within the enemy's lines, as lex non cogit ad impossibile. The twenty-six in the House of Representatives had, at the time the law in question was enacted, been vacated and removed, and were no longer entitled to be counted in considering the question of a quorum" "So far as the ten members from the district within the enemy's lines are concerned, so long as they remain in that portion of the state where the writs of the House of Representatives can reach them, they are entitled to and can be compelled to attend the sessions of the House as members, and are properly counted in determining the question of quorum"

And Mr Justice Voorhees said: "If a part of the state be irretrievably lost by conquest (or even by secession or revolution, as happened in the case of Vermont from the State of New York) then the writ of the House could not reach the members of that portion of territory. Its issuance would be an empty formality on the part of the House; and it would be in such a case absurd to hold that the representation of a people, which has been thoroughly estranged and alienated from this state, should be considered in order to ascertain what constitutes a quorum of what is left of our government". And he also said, that where the enemy had firm possession, and the people owed obedience to the conqueror, that obedience was not to be confounded with the allegiance due the state: but such of the people still owed their allegiance to the state a sovereign — a latent or passive allegiance, but one that the enemy himself is bound to recognize and respect.

We are therefore of opinion that the members of the House of Representatives consisting of all to which the counties not within the enemy's lines are entitled under the constitution and of all who present themselves from counties held by him: and that therefore two thirds of this aggregate is a quorum under the provisions of the Constitution

E. W. Pingleck
Calvert Pike } Judges

On motion of Mr Stillwell it was ordered that the usual process to compell the attendance of members be issued against Messrs Leech, Belser and Whitfield

On motion of Mr Trimble the Senate took a recess until 5 minutes to 4 oclock

Five minutes to 4 oclock pm

The Senate met

Message from the House of Representatives by the Clerk

I am instructed by the Honorable the House of Representatives to inform the Senate that they are now ready to receive the Senate in their Hall

Emmet Burgess
Clerk of House

On motion of Mr Bush the Senate repaired to the Hall of the House Representatives and being seated therein the roll was called by order of the President. when the following Senators answered to their names

Messrs Bunch, Carter, Embry Hampton, Smith Stillwell Trimble Wallace Williams and Mr President Ten

The roll of the House of Representatives was then called by order of the Speaker of the House and it appearing that there was a quorum of both Houses present the President announced that the Convention was ready to receive the Message of the Governor when H. P. Vaughn appeared and read the same to wit

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,
Washington, Ark., Sept. 24, 1864.

To the Senate and House of Representatives of the State of Arkansas:

The aggressive war which has been waged against us for more than three years, has been conducted during the past year with the same great vigor which characterized it in its earliest progress. Our enemies have deliberately elected to ruin themselves in order to ruin us. They have sacrificed their citizens by the hundred thousand, and their means by the thousand millions, as well as every principle of constitutional liberty, in order to destroy a people who never injured them. They have abandoned the rules of civilized warfare, and conducted the war with torch and sword. They declare that there is nobody friendly to them in the South but the negro population, and that they must have the control of the South.

[illegible] villages have been burned—unoffending men, who are noncombatants, have been murdered, for no other reason than the caprice of some Federal officer, or the dislike of some unprincipled men.

The war has thus been waged against men and women, soldiers and citizens. We should return our thanks to the Great Disposer of events, that so wicked and terrible a war has not resulted in our conquest.

In the summer of 1863, owing to the occupation of the capitol by the military forces of the United States, the seat of government was moved to this place.

Certain persons who were disloyal to the government, inaugurated a pretended State government last spring in this State. Soldiers and officers of the U. States government took part in it. Many loyal citizens who were within the Federal lines were compelled, by threats and otherwise, to take part in the elections.

The bill making appropriations for the relief of soldiers' families, contained a provision whereby payments might be suspended by the Executive. After it became impossible to distribute the funds over much the larger portion of the State, and it had become apparent that there was not funds to last for the two years, payments were suspended for any time after the 1st December, 1863. Had this not been done, that part of the State where there was least want, and where counties could have relieved families, would have received the bounty, and where there was most want, and where the counties could not act, the relief could not have been distributed.

During the summer of eighteen hundred and sixty-three, it was deemed expedient, in order to hasten the organization of troops, to call into the service a body of State troops. An agreement was made with Gen. Smith, whereby such troops were to be supplied by the Confederate States, and a call made. Almost immediately afterwards General Steel advanced into the State, and took the capitol, and a Federal force took possession of Fort Smith. Our troops fell back to Camden, thus losing control of a large portion of the State.

The State organizations were continued, however, and notwithstanding all the troops of South-east Arkansas as far west as Lafayette county, were mustered with their consent into the Confederate service, twelve companies were organized in the few counties in the extreme South-west. These companies have done most excellent service. During a large portion of the time they have been the only protection to this part of the State. They have from their organization performed the duties of pickets to the extreme front; and while not strong enough to resist a large force, they have been a great protection to the frontier counties.

Last spring, upon the advance South of Gen. Steel, two companies—Reed's and Dyer's—were placed in front of the enemy, and, by frequently firing into their advanced guard, caused them to move slowly and with caution. They also kept the Confederate officers accurately advised of the movements of the enemy. The balance of the command was placed at the crossing of the Missouri, and employed in making such blockades and examinations as should be desirable on the approach of the enemy.

It having become apparent that the enemy was moving towards Washington, the Confederate troops were placed in their front and rear; and the State troops, in order to have unity of command, were put under the command of Gen. Cabell, and remained with him until after the Jenkin's Ferry battle. They took part in the battles of Poison Spring and Marks' Mills, winning from every observer the most unqualified praise. Gens. Price and Cabell, in published orders, have commended their gallantry and daring in the most flattering terms.

At Marks' Mill Col. Pettus was mortally wounded. His loss is almost irreparable. So modest, that no one knew his merits except on considerable acquaintance. His efficiency in camp and on the field was very great. Capt. Dyer, a most excellent officer and scout, was sent to the enemy's rear by Gen. Marmaduke. He was killed on the expedition. Lieut. Gilliam, a good officer and citizen, was killed at Marks' Mill. Lieut. Ross, than whom there was none better, lost his life, on a scout, at the hands of his friends, by mistake.

Steps have been taken to turn over these troops to the Confederate States, which, it is supposed, will be completed in a short time.

The General Assembly, at its last session made provision for a board to examine all the accounts of accounting and other officers of the State who had settlements to make. The evacuation of the seat of government caused the suspension of their labors. They proceeded far enough to show the necessity of their completing their labors when possible; not only to protect the interests of the State, but to ascertain and report upon such checks and guards as may protect the State from future loss. The examination should be so thorough as to set at rest all questions of finance between the State and her officers.

At the last session of your body, it was enacted that commissioners should be appointed as custodians of the books and papers of the several land offices; giving them salaries, and providing that the property of the offices should be removed in case of invasion. No appropriation, was made, however, to cover salaries, expenses, office rent, etc. These items have been met from the contingent fund of the Executive Department.

The appropriation for the contingent fund of the Treasurer's office was insufficient, and payments have been made on that account from the contingent fund of the Executive Department. Payment has also been made from the same fund to the commissioners created by the General Assembly to examine the acts, books and papers of the several officers of the State—no appropriation having been made for that purpose.

Your body, at its last session, saw proper to make provision by appropriation for aiding, by loans, persons who should engage in the manufacture of iron, salt and cotton cards. Under the law, loans have been made to several persons who desired to engage in the manufacture of salt. Although the supply has been limited, and prices high, I am not aware that there has been any time when salt could not be obtained within our lines at prices as low comparatively as other manufactured articles.

There has been no application for aid in the manufacture of either iron or cotton cards; the outlay has been, perhaps, too great for the probable contingent profits. The contingent fund placed at the disposal of the Executive was too small to effect such a purpose. The manufacture of cards was deemed of such importance, however, that inquiries were made, which resulted in the conclusion, that without imported wire an inferior article only could be made, and at a very high price. Trading with the enemy being prohibited by law, and Arkansas being so far in the interior as to prohibit all thought of obtaining wire from foreign countries.

Whether there should be further legislation upon this subject, is left to your judgment.

The laws now in force against the distillation of ardent spirits from grain have not been effectual in the suppression of the evil. One reason is, that courts are held irregularly and hastily, and in the unsettled state of the country, many of those who have violated the law, escape the infliction of the penalty. Witnesses are often absent and cannot be had. There are some distillers who prefer paying an occasional fine, to foregoing the immense profits of their trade.

Grain is now selling at enormous prices, and a large portion of our most deserving population are unable to pay them. Public policy is against permitting the supply to be diminished and the price augmented, in order to procure a supply of whisky. The employment is eminently demoralizing. The distiller's and dealer's profits make them reckless, and after being thus engaged, it is very rare that they are afterwards usefully employed for the country. The use of it by soldiers is the exciting cause of many, if not most, of the acts of violence which have occurred in the country.

It is recommended that provision be made, that the examining court, when the offender is brought before one, or the sheriff, when he arrests on indictment, shall require of the offenders a bond in a very large penalty, that he will not in any manner be interested or engaged in any future distillation from grain during the continuance of the war.

Your attention is also asked to the question whether provision may not be made within the Constitution for seizing of stills into the possession of the sheriff when the owners or users shall be charged by indictment or satisfactory evidence before an examing court of using them contrary to law. If such a law be constitutional, it would be the most effectual method of stopping this most pernicious business. However, on the discharge of defendant, by acquital or otherwise, the still should be returned; but on conviction, forfeited.

Owing to the larger portion of our State being in the occupation of the Federal army, it is doubtful whether elections can be held in one half of it; at least there is a large portion in which they cannot be full and free as elections ought always to be.

It is recommended to the Legislature, that they consider, in this connection:

1st. Ought not a law to be passed whereby persons in the provisional army of the Confederate States may vote in their commands, notwithstanding they may at the time be out of their election districts. Owing to our Constitution some doubt whether such a law would be valid; but if possible, it is but just that such a law should exist.

2. To make some provision for comparing returns and certifying elections, in the absence of the Clerk, or when the present law cannot be executed, for other purposes.

3d. To provide for a session of the Legislature when the regular session has not been held.

4th. To provide for elections where there have been none held at the time appointed by law.

5th. To make such appropriations as shall be necessary for the administration of the government until October, A. D. 1866.

The Executive is satisfied that the power now exists to call a session of the Legislature at any time, even in case the regular session has not been held, and also that offices may be filled under our Constitution in cases when vacant notwithstanding no election may have been held at the time appointed by law: but under circumstances of such importance, and so vitally affecting the welfare of the government, your body should make such provision as shall leave no room for doubt with any one.

The importance of having full, free and fair elections is so great that it is not proposed to hold elections where but a small portion of the people can take a part in them. We shall have need of government and must have elections long after this war shall have ceased; and it will be impossible to maintain respect either for elections or government, if the first be made into farces and the second feet upon such elections for support. One of the best evidences of our enemies' total want of respect or observance of the Constitution and laws, exists in their manner of conducting elections in this and other States during the last winter and spring. How many votes were deemed necessary to the election of members of the pretended Legislature of this State? We cannot know; but we do know that one-third of that body could not have had an legal votes for each member. It is not surprising that that body received only contempt from those who got it together, and then used it for their personal purposes.

A statement of the funds used by the Military Board, made by the Secretary, accompanies this paper. It will be seen that the whole expenditures of the Military Board have been $1,691,609 33. Of which amount $1,548,525 76, was incurred before the 15th of November, 1862, and $143,083 58, was incurred between that date and the 1st day of September, 1864.

You will also observe that the sum of $90,663 94 is in the hands of agents unaccounted for. An effort was made early in 1863, to get settlement and liquidation of all balances due the State; but this amount is unadjusted and much of it will no doubt be lost.

There is yet undrawn, up to this date, about 700,000 00, subject to the order of the Military Board. Of this amount, it is not likely that but a small part will ever be expended; but circumstances might occur which would render it expedient to expend a much larger sum, and it is submitted that an appropriation be made to meet such contingency.

The Penitentiary being in the possession of the Federal army, it is necessary to make some provision for the punishment of criminals who would have been confined in the Penitentiary under our laws, were it in our possession. No human sagacity can provide proper punishment for every crime which shall be committed. There are many cases of highway robbery, horse-stealing, robbing in dwelling houses, and possibly other crimes which might be punished with death. In other cases there are circumstances which modify the crime.

It is suggested that in the cases referred to, the defendant shall be punished by hanging or by stripes and the pillory as the jury shall find in their verdict, and that the Judges of the Circuit Court shall have power to substitute punishment by whipping and the pillory in case the jury shall find a verdict fixing hanging as the penalty.

In all other cases where the law heretofore punished by confinement in the Penitentiary, the jury might fix the punishment by whipping and sitting in the pillory, or either giving power to the Circuit Court to remit such portion of the punishment as it shall deem just.

The Congress of the Confederate States have passed an act to facilitate the operations of commissioners to be appointed by the States, for the purpose of ascertain the condition of the troops from each State.

The Hon. Uriah M. Rose was appointed on the part of this State, with instructions to gather every important fact connected with the Arkansas troops.

It is supposed the result of his labors will be to place in a permanent form the facts necessary to do justice to Arkansas, and her sons, during the war; as well as to enable the deceased soldiers of this State to receive their dues from the Government.

The report of the Adjutant General is returned herewith. It will be found to contain much matter of interest to your body and the people.

With sentiments of high consideration, I am your obedient servant,

H. FLANAGIN.

After the reading of the message the Senate returned to their chamber

On motion of Mr Williams the Senate adjourned until Monday morning 9 o'clock

Thos Fletcher
President

Monday September 26th 1864

The Senate met

Roll called

Present — Messrs — Bunch, Carter Embrey Hampton Smith Stillwell Trimble Wallace Williams and Mr President — 10

The journal of Saturday was read, approved and signed

Mr President laid before the Senate and caused to be read by the Secretary the following list of standing Committees of the Senate

On Judiciary — Mess Stillwell Williams and Embrey
On Ways & Means — Mess Hampton Bunch and Wallace
On Enrolled Bills — Mess Williams, Carter and Smith.
On Elections — Mess Embrey Trimble and Wallace
On Public Printing — Mess Bunch Stillwell and Hampton
On Claims — Mess Smith Williams and Trimble
On Memorials — Mess Wallace Carter and Embree
On Public Expenditures — Mess Trimble Bunch and Stillwell
On Public Roads — Mess Carter Wallace and Smith
On Militia — Mess Adams Williams and Carter

Mr President announced the following communication from the Secretary of State

Office of the Secretary of State
Washington Arkansas
September 24th 1864

Hon Thos Fletcher
President of the Senate

Sir: I have the honor to communicate

herewith for the action of the Senate a certificate of the Clerk of the County of Monroe, of the election of Benjamin H. Adams, to the office of State Senator from the Senatorial District composed of the Counties of Phillips and Monroe. Said election was held in pursuance of writ issued by the Governor for a special election to be held on the 8th day of September 1864 to fill the vacancy occasioned by a failure to hold an election at the last regular general election

I am Respectfully
O. H. Oats
Sec of State

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Honorable body that the House has adopted the following joint resolutions

Resolved That a committee of three be appointed to confer with such Committee as may be appointed on the part of the Senate to take into consideration, the propriety of establishing a State agency for the purchase and manufacture of Cotton and Wool Cards and Medicines for sale to such families of this State as are destitute of such articles, with instructions that they report a bill for that purpose at as early a moment as practicable. The Committee on the part of the House is Messers Brown Haynes Stoddard Neal and Cheatham

Edmund Burgevin
Clerk of the House

On motion of Mr Embrey the Senate concurred in the resolution of the House, and Mr President appointed Messers Embrey Wallace and Williams Committee on the part of the Senate

On motion of Mr Hampton Mr B. H. Adams, ~~was invited to come forward and take~~ Senator elect from the fifteenth district composed of the counties of Phillips & Monroe, was invited to came forward and take his seat.

whereupon Mr B. H. Adams ~~came forward~~ appeared within the bar and after taking the oath of office, which was administered by the President of the Senate took his seat

Mr Embrey offered the following resolution

Resolved That the Reporter for the Washington Telegraph be permitted to take a seat within the bar,

Read and on his motion adopted

Mr Hampton offered the following resolution

Resolved That the Secretary of the Senate be instructed to procure one dozen copies of the Washington Telegraph containing the Message of His Excellency the Governor and the opinion of the Supreme Court for the use of the Senate

Read and on his motion adopted

Mr Smith offered the following resolution

Resolved That the Committee on the judiciary be instructed to report a bill providing penalties and punishments for felonies and other offences, punishable by imprisonment in the Penetentiary

Read and on Motion of Mr Stillwell adopted

On motion of Mr Stillwell so much of the Governors Message as refers to the board to examine accounts of Auditor Treasurer &c and to appropriations to pay their salaries and other salaries ~~was referred to the Committee on Ways & Means~~. So much as relates to the distillation of ardent Spirits from grain and so much as relates to appropriations, for the years 1865 & 6 was referred to the committee on Ways & Means.

On the further motion of Mr Stillwell so much of the Governors Message as relates to the power of the Executive to call a session of the Legislature in case the regular session had not been held and also to cause vacancies to be filled in certain cases ~~and so much~~ as relates to the Penetentiary and the criminal cases of the State was referred to the Committee on the Judiciary

And on his further motion so much of the Governors Message as relates to the expenditures of the Military Board and the report of their Secretary, and so much as relates to the State Troops was referred to the Committee on the Militia

On leave Mr Trimble introduced Senate bill No one

SB No 1 Entitled an act to authorize the qualified voters of each town in this state to vote in the army in certain cases

Read the first time

On motion of Mr Trimble the rules were suspended and the bill read the second time by title.

Mr Bunch offered the following amendment strike out all of the 5th Section after the word "be" in the twelth line and insert a sufficient voucher for the Auditor to draw his warrant on the Treasurer for such sum (out of any money in the Treasury not otherwise appropriated) as he may judge a reasonable compensatio

To said messenger for bringing up said roll books
Which was read and on motion of Mr Smith adopted

On motion of Mr Bunch the bill as amended was referred to the Committee on the Judiciary

Message from the House of Representatives
Mr President

I am instructed to inform your Honorable body. That the House has passed the following joint resolution.

Resolved That the Senate and House of Representatives meet in the Representative Hall on Tuesday Evening at 4 Oclock, for the purpose of electing a Confederate Senator to fill the unexpired Term of the Honorable C. B. Mitchell deceased

Mr Embry moved to concur

Mr Trimble moved to amend by striking out Tuesday 4 Oclock and inserting Friday 8 Oclock, which was lost on a division. Aff 3 — Neg 8.

The vote was then taken on Mr Embrey motion to concur which was carried

On motion of Mr Stillwell the Senate took a recess until 2 Oclock P.M.

2 Oclock P.M.

The Senate met

Roll called

Present — Messrs. Belser Bunch Carter Embrey Hampton Stillwell Trimble Wallace Williams and Mr President — 10

The President announced the receipt of a bill from the House of Representatives, which it would be necessary for the Senate to consider in secret Session

Whereupon on motion of Mr Stillwell the Senate went into secret Session and after deliberation the Senate resumed business with open doors

On motion of Mr Embrey the Senate adjourned until tomorrow morning, 9 Oclock

Jno. F. Lilleh
President

Tuesday September 27th 1864

The Senate met

Roll called

Present & Answers — Adams Baker Bunch Embry Hampton Hunt Smith Stillwell Tribble Wallace Williams and Mr President — 13

The journal of yesterday was read approved and signed

Motions and Resolutions in order

Mr Tribble offered the following resolution

Resolved That the Rev Mr Wallace a member of this body be requested to open our Sessions, each morning with prayer

Which was read and on his motion adopted

Reports from Standing Committees in order

Mr Stillwell from the Committee on the Judiciary made the following Report

Mr President

The Committee on the Judiciary, to which was referred so much of the Governors Message as relates to the Penitentiary and the Criminal Code, have, the subject under consideration and to obviate the difficulties suggested, has instructed me to report the accompanying bill and recommend its passage

Stillwell Chairman

Which report was read and received and the accompanying bill Entitled "an act to change the penalties and punishments of certain crimes as now prescribed by law", read the 1st time.

S.B. No 2

On motion of Mr Stillwell the rules were suspended and the bill read the 2nd time by title and ordered to take its place on the Calender

Introduction of bills in order

Mr Williams introduced Senate bill no 3. Entitled "an act to regulate the election of members of Congress to the House of Representatives of the Congress of the Confederate States, from this State of Arkansas"

S.B. No 3

Read the first time

On motion of Mr Williams the rules were suspended the bill read the 2nd time by title and referred to the Committee on Elections

On motion of Mr Hampton Mr Hunt was added to the Committee on Ways and Means

On motion of Stillwell Mr Baker was added to the Committee on the Judiciary

The Sergeant at Arms of the Senate made the following return, on the writ issued to compell the attendance of certain Senators

This certifies that the within named Senator L. H. Belser has appeared and Taken his seat in the Senate; and that the Senators E H Whitfield and Finis Leech, I am informed and believe are now absent from the State of Arkansas and out of the jurisdiction of this Writ

Given under my hand this the 6th day of September 1864

N. Larson
Sergeant at Arms of the Senate

Mr Embry from the Committee on Elections made the following Report

Mr President

The Committee on elections, to which was referred Senate bill No 3 Entitled "an act to regulate the election of Members of Congress to the House of Representatives of the Congress of the Confederate States; from the State of Arkansas, have had the same under consideration and have instructed me to reccommend its passage

S.B. No 3

Embry Chairman

Which report was received and on motion of Mr Hampton the rules were suspended the bill read the 3d time and passed

On motion of Mr Smith the Senate took a recess until 2½ Oclock

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2½ O'clock P. M.

The Senate met

A message from the House of Representatives by the clerk

Mr President

I am instructed by the House of Representatives to inform the Honorable, the Senate that it has passed the bill herewith, entitled "an act, to exempt certain persons and their property from taxation

Edmund Burgevin
Clerk of the House

On motion of Mr Bunch House bill No 4 ~~was taken up and read the first time~~ Entitled An Act, To exempt

H.B. No 4 certain persons and their property from Taxation was taken up and read the first time and

On motion of Mr Trimble the rules were suspended the bill read the second time by title and referred to the Committee on the Judiciary

Mr Smith on leave introduced Senate bill No 4

S.B. No 4 entitled An Act, to require County Collectors to receive Con=federate States notes at their value as fixed by the Congress of the Confederate States, Arkansas War Bonds, and Arkansas Treasury Warrants, in payment of County Taxes

Read the first time

On motion of Mr Smith the rules were suspended the bill read the second time and

On motion of Mr Trimble referred to the Committee on Ways & Means

On motion of Mr Bunch the Senate took a Recess until 10 minutes before 4 Oclock

10 minutes to 4 Oclock

Senate met

Mr Hampton from the Committee on Ways & means made the following report

Mr President

The Committee on Ways & means to whom was referred the bill to be entitled an act, to require County Collectors to receive Confederate States notes at their value as fixed by the

S.B. No 4 Congress of the Confederate States, Arkansas War Bonds & Arkansas Treasury Warrants in payment of Taxes have had the same under consideration, and beg instructed to report the bill back and recommend its passage

Hampton Chairman

Which report was read and received

On motion of Mr Hampton the bill was read the third time and passed

Message from the House of Representatives by the Clerk

Mr President

I am instructed by the House to inform your Honorable body that the House is now ready to receive the

Senate for the purpose of going into the election of a Confederate States Senator

Edmund Burgwin
Clerk of the House

On motion of Mr Trimble the Senate repaired to the Hall of the House of Representatives and being there seated. the roll of the Senate was called when the following Senators answered to their names.

Messrs — Adams Belser Bunch Carter Embry Hampton Hunt Smith Stillwell Trimble Wallace Williams and Mr President — 13

The roll of the House was then called by order of the Speaker. and it appearing that there was a quorum of both Houses present. the President announced that nominations for Confederate States Senator to fill the vacancy occasioned by the decease of the Honorable C. B. Mitchell were in order.

Mr Neal of the House nominated the Honorable A. H. Garland

Mr Trimble of the Senate nominated the Honorable Albert Pike

No other nominations being made the rolls were called with the following result

Honorable A. H. Garland 6 in the Senate. 32 in the House. Total 38.
Hon Albert Pike 7 in the Senate and 7 in the House. Total 14

Those Senators voting for Mr Garland were Messrs Adams Carter Embry Smith Stillwell and Williams — 6

Those voting for Mr Pike were Messrs Belser Bunch Hampton. Hunt Trimble Wallace and Mr President — 7

Hon A. B. Greenwood received one vote in the House

Whereupon the President of the Senate announced that the Hon A. H. Garland having received a majority of all the votes given was duly and constitutionally elected Confederate States Senator for and during the unexpired term of the Hon C. B. Mitchell deceased

The Senate then returned to their Chamber

Mr Williams asked & obtained leave of absence until 10 o'clock to-morrow

Mr Wallace introduced Senate bill No 5 to be entitled

B. No 5 An Act to authorize the issuance of letters of administration in certain cases not now provided for by law

Mr Williams on leave introduced a bill of same title to be read to-morrow

Read the first time

On motion of Mr Stillwell the rules were suspended and the Bill read the second time by title and on motion of Mr Trimble referred to the Committee on the Judiciary

On motion of Mr Carter the Senate adjourned until tomorrow morning 9 O'clock

Thos. J. Fletcher
President

Wednesday September 28th 1864

The Senate met

Prayer by the Rev Mr Wallace

Roll called

Present Messers — Adams Bunch Embry Hampton Hunt. Smith Stillwell Trimble Wallace and Mr President — 10

The journal of yesterday was read approved and signed

Motions and Resolutions in order

Mr Bunch offered the following resolution

Resolved That the Committee on Ways & Means of the two Houses of this General Assembly be made a joint committee to consider of the appropriation bill and that the House of Representatives be requested to concur herein

Read and on motion of Mr Hampton adopted.

S.B. No 2 Senate Bill No 2 Entitled an act, "to change the penalties and ~~to repeal bounty laws~~ punishments of certain crimes or, A now presumed by law ~~to secure loyal State votes at their order or Lincoln by the Congress of the Confederate States, Confiscate Warlands, and Alienate Bounty Warrants, in payment of bounty~~ was taken up and read for information

Mr Stillwell moved that the bill be read the third time

Mr Hampton moved to recommit with instructions to omit the penalties of cropping & branding upon which motion Mr Hampton called for the ayes & noes

Call ~~was~~ sustained and ordered with the following result

Ayes Messers — Adams Belser Hampton Hunt Trimble Wallace — 6.

Nays Messers — Carter Embry Smith Stillwell & Mr President — 5

So the Bill was recommitted

On leave the Judiciary Committee retired to consider of said bill

Mr Stillwell from the Committee of the Judiciary made the following Report

Mr President

The Judiciary Committee to which was recommitted, Senate bill No 2. Entitled "an Act, to change the

S.B. No 2 penalties and punishments of certain crimes as now prescribed by law" instructed me to report the same back amended as instructed and recommend its passage

Stillwell Chairman

On motion of Mr Trimble the bill as amended was read the third time and passed

Message from the House of Representatives by the Clerk

Mr President

I am instructed by the House of Representatives to inform your Hon body, that they have concurred in Senate resolution that the Committee on Ways & Means of both Houses of the General Assembly be made a joint Committee to consider of the appropriation bills

Emanuel Burgess
Clerk of the House

Mr Hampton was called to the chair

On leave Mr Stillwell from the Judiciary Committee made the following report

Mr President

The Judiciary Committee has considered House bill No 4. Entitled "an Act, to Exempt certain

H.B. No 4 persons and their property from taxation" and instructed me to report the same back and recommend its rejection

Stillwell Chairman

Which report was read, and on motion of Mr Embry ~~[illegible]~~ adopted, and the bill thereby rejected

Mr Stillwell further from said Committee made the following report

Mr President

The Judiciary Committee has considered ~~House bill No 5~~ Senate bill No 5 Entitled "an

S.B. No 5 act, to authorize the issuance of letters of administration

in certain ~~cases~~ not now authorized by law, and instructed me to report the same and recommend its passage

Stillwell Chairman

Which report was read and received

On motion of Mr Stillwell the Bill was read the third time and passed

Message from the Governor

Executive Office
Washington Arkansas
June the 8th 1864

To the Senate of the State of Arkansas

I have the honor to submit the nomination of the Hon Albert Pike, as Supreme Judge, to the Senate, for their action

H. Flanagin

On motion of Mr President the communication from the Governor nominating the Hon Albert Pike as Supreme Judge was taken up and

On motion of Mr Trimble the Senate advised and consented to said nomination.

Yeas Messrs Adams Belser Bunch Carter Embry Hampton Hunt Smith Stillwell Trimble Wallace and Mr President — 11

Nays none

On motion of Mr Belser the Senate took a recess until 2 Oclk P. M.

2 Oclock P. M.
Senate met
Roll called

Present Messrs — Adams, Bunch Carter Embry Hampton Hunt Smith Stillwell Trimble Williams and Mr President — 11

Mr Stillwell entered and obtained leave of absence for Mr Wallace, on account of indisposition

Mr Smith introduced Senate Bill No 6. Entitled an

S.B. No 6 Act, To repeal certain acts separating the offices of Assessor and Collector from that of Sheriff in certain Counties

Read the first time

On motion of Mr Smith the rules were suspended the Bill read the Second time and refered to the Committee on Ways &

Means

Mr Bunch was called to the chair

Mr President offered the following resolution

Resolved: That the Committee on Public Printing be instructed to inquire if the laws of the last session of the legislature have been published, by the Public Printers, and if not to report why the same has been omitted

Read and on motion of Mr Hampton adopted

Mr President offered the following resolution

Resolved That the Committee on the Judiciary be instructed to report a bill changeing the time of the meeting of the next General assembly, from the first Monday in November to the first of July next, or a later or earlier period as their judgement may dictate

Read and on motion of Mr Carter adopted

Mr Hampton from the Committee on Ways & Means made the following report

Mr President

SB. No 6 The Committee on Ways & Means to whom was refered Senate bill no 6 Entitled "an act, to repeal certain acts seperating the Offices of Assessor and Collector from that of Sheriff, in certain Counties have had the same under consideration and ~~have~~ instructed me to reccommend its passage

Hampton Chairman

On motion of Mr Smith the bill was read the third time and passed

On motion of Mr Embry the Senate adjourned until Tomorrow morning 9 Oclock

Jno. H. Fletcher
President.

Wednesday September 28th 1864

The Senate met

Prayer by the Rev Mr Wallace

Roll called

Present Messrs Adams Belser Bunch Carter Embry Hampton Hunt Smith Trimble Wallace and Mr President—11

The Journal of yesterday was read ~~signed and~~ approved and signed

Mr Embry asked and obtained leave of absence for Mr

Williams on account of being on a joint Committee

Petitions from Counties in order.

Mr Bunch presented ~~the~~ a Petition from Sundry citizens of Carroll County Arkansas, asking the General Assembly to devise some means, by which a supply of Salt should be sent to said County.

Which was read and on his motion referred to the Committee on Memorials

Mr Bunch from the Committee on Public Printing made the following Report

Mr President

The Committee on Public Printing in response to a Resolution adopted by the Senate on yesterday, beg leave to report the correspondence had between the Committee and Messers Eastin & Etter Public Printers, presenting the reasons why the printing has not been done &c

Bunch Chairman

Washington Arkansas
September 28th 1864

Messers Eastin & Etter

The Senate "Committee on Public Printing" having applied to the Secretary of State to obtain information in regard to the printing and distribution of the "Acts" of the last General Assembly, and having learned that from difficulty arising out of the scarcedy of material, necessary for the execution of the Public Printing the work has not been done thinks it due to you as well as the public interest to enquire whether you can suggest any means by which the present General Assembly may remove the difficulty

Bunch
Stillwell
Hampton } Committee

Washington Arkansas
September 28th 1864

Gentlemen of the
Senate Committee

We are in receipt of your note of enquiry of this date, and avail ourselves with pleasure of the opportunity afforded of making your body acquainted with the condition of the public printing.

When we were elected public printers at the first Session of the Legislature two years ago, we had only a common hunting

office, for a county paper, without any stock of material on hand, or means of executing extensive job work, beyond the requirements of a county paper.

Mr Eastin was at this time absent at Pocahontas, and was not informed of our election as public printers until some after the 1st Tuesday of December 1862. Upon his return and upon consultation together, being flattered by the confidence reposed in us we determined to execute the work for the public benefit, if at all possible, and although we then presumed that it would be attended with no pecuniary profit, we executed our bond for the purpose.

Without delay we made out a bill of the requisite material for printing the laws, journals, and Supreme Court Reports, and sent it across the river to a trusty agent, to make the purchases at once without regard to price, and advise us of his action, in order that we might get the material over. We think the bills never reached him, as we obtained no response, and shortly afterwards the public enemy obtained possession of the Mississippi and cut off all communication. The transportation of paper then became impossible. We made other efforts, the particulars of which would be unnecessary to recite; to obtain the paper through agents at Little Rock, which proved equally unsuccessful, in

In the Spring of 63 becoming satisfied that with the most strenuous exertions, and whatever expense we would be unable to procure the requisite material, and feeling the importance to the State for having printed for circulation at least the Acts of the Assembly we made propositions to Messrs Johnson & Gertes, and Danley & Holtzman at Little Rock to execute the work for us, offering to pay them their regular charges, and to force the difference between that, and the amount allowed us by the State. This they could not do for want of material, and it became evident much to our regret that the printing of the Acts was utterly impossible. We would have willingly lost, on printing the Acts on account of their importance, leaving the journals and Supreme Court Reports to wait.

We have been able to print the Acts in the Washington Telegraph, and distribute the requisite copies to the different Clerks, and to print the Treasury warrants, and execute the various job work required of us, by the different State departments, with but slight delay

It is necessary to say by way of explination that we have kept up the Washington Telegraph with a limited circulation, by obtaining small lots of various qualities of paper here and there, as we could pick them up, but with such lots as were not sufficient to print the Acts, and we moreover conceived that it was of more public importance to sustain a small news journal, than to use up all material at once for the printing of an inadequate of very bad copies of the acts. A very small amount of news paper which we now have on hand has supplied us in trust to be used for keeping up the journal and we could not divert it to other uses, if indeed it was sufficient, as it is not.

We are satisfied that we cannot by private enterprise obtain paper and inks to print the acts, journals, and the decisions during the war. It is simply impossible, nor do we think any other individual could do better.

In accordance with your request, and not from any motive of profit, we would respectfully suggest, to the General Assembly the propriety of itself, through its agency, which it is proposed to establish, procureing and placeing in the hands of the Public Printers a sufficient amount of paper, inks, and stationery to do to the public printing until the war may close, and these articles become accessable to private trade and enterprise as was contemplated when the present laws regarding public printing were enacted. A new state of circumstances has supervened which requires new action, if it be not desirable to have the journals and supreme court decisions printed during the war (and there are many reasons why even they should be) still it is important that the laws should be printed and promulgated, and sufficient paper for that, and for printing treasury warrants and other necessary job work for the State might well be procured through the facilities which the State can command. It would add but little expence to the agency, and being put in possession of material, the public printing might be done on any reasonable terms, which the state of affairs would make just and equitable.

If indeed at the same time the State could import a quantity of news paper to be divided pro rata amongst the papers of the State at a remunerative rate, we believe it would be highly beneficial to sustain the cause of the South, and maintain a healthy and patriotic tone of mind amongst the people, but that is a different consideration.

We should please the General assembly to concur in any or all of

these views, it would afford us pleasure to advise the State agency at any time of the quantity of paper and other stationary necessary for the public service, and will give any assurance that materials so placed in our hands will be exclusively used, in the service of the State.

One other suggestion only remains, which we submit without recommendation, & it should please the State to advance Specie to the public printers upon account it will enable them to purchase material in Texas or Mexico, which they are now unable to do. We believe however that State agency, could obtain these articles upon better terms, and that course we advise

Respectfully
John R. Easlin
Wm. H. Etter
Public Printers

On motion of Mr Hampton the correspondence between the Committee on Public Printing & Messrs Easlin & Etter Public Printers, was referred to the joint Committee of the two Houses, which was raised to take into consideration the propriety of establishing a State agency for the purchase of cotton and Wool Cards, Medicines &c

Mr Hampton from the joint Committee on Ways & Means made the following report

Mr President

The Committee on Ways & Means acting jointly with the House Committee have instructed me to me report the accompanying bill to be entitled an act, making appropriations for the years One thousand Eight hundred & Sixty five, One thousand Eight hundred & Sixty six and part of the year, One thousand Eight hundred & Sixty four, and recommend its passage.

S.B. No 7

Which was read and received and the accompanying bill entitled An act, making appropriations for the years 1865 & 1866 & part of the year 1864 read the first time

On motion of Mr Bunch the rules were suspended the bill read the second time by title and took its place on the calander

Message from the House of Representatives by the clerk

Mr President

I am instructed to inform your Honorable Body that the House of Representatives has passed House Bill

No. entitled an act amendatory of an act to provide for the relief of needy and destitute families of soldiers in this state approved Dec 1st 1862

Also House bill No — Entitled an act to provide for holding elections for Senators and Representatives from the Overrun districts and counties in this state

Which are herewith transmitted for the assent of your Honorable Body which is respectfully asked

Edmund Burgevin Clerk of the H of Rep

Introduction of bills were in order.

S.B. No 8 Mr Smith introduced Senate No 8. entitled an act for the relief of the widow and heirs of Henry H Davis deceased of Clark county

Read the first time

On motion of Mr Smith the rules were suspended the bill read the second time by title and

On motion of Mr Stillwell the rules were further suspended the bill read the third time and passed

Message from the House of Representatives by the Clerk

Mr President

I am instructed by the House to inform your Honorable Body that the House has passed a joint resolution to pay certain deceased officers and soldiers which is herewith presented for your consideration and action

Edmund Burgevin Clerk

House Bills ordered up

Message from the House of Representatives by the Clerk

Mr President.

I am directed by the House to inform your Hon body That the House has passed House Bill No — entitled an act for the relief of ~~Joint Resolution to pay certain deceased officers and soldiers~~ Auditor State Security of State and present it ~~herewith~~ herewith for your consideration and action

Edmund Burgevin
Clerk of the House

House Bill ordered up

House Joint resolution to pay certain deceased officers and soldiers was taken up and read the first time

On motion of Mr Trimble the rules were suspended the resolution read the second time and on his further motion referred to the committee on the Judiciary

House Bill No — Entitled "An act, to provide for holding elections for Senators and Representatives from the overrun district and Counties of this State," was taken up and read the first time

On motion of Mr Trimble the rules were suspended the bill read the second time by title and referred to the Committee on Ways & Means

House Bill No — Entitled "An act for the relief of O H Oats Secretary of State," was taken up and read the first time

On motion of Mr Smith the rules were suspended ~~and~~ the bill read the second time by title and —

On motion Mr Bunch referred to the Committee on claims

On motion of Mr Trimble the Senate took a recess until 2 O'clock P. M.

2 O'clock P. M.

Senate met

Roll called

Present Messrs Adams Belser Bunch Carter Embry Hampton Hunt Smith Stillwell Trimble Wallace and Mr President — 12

Mr Stillwell from the Judiciary committee made the following report

Mr President

The Judiciary Committee has considered House resolution No 1 to pay certain deceased officers and Soldiers, have instructed me to report the same with the following amendment and recommend the concurrence of the Senate therein

Stillwell Chairman

Amend by striking out all after the word "widows" in the sixth line to the word "and", in the eight line and inserting in lieu thereof the children of the deceased Soldier if adults or their guardians if they are minors

read ~~two~~ and received and

On motion of Mr Belser the amendment ~~was~~ adopted

On motion of Mr Trimble the rules were suspended the resolution as amended read the third time and passed

Message from the House of Representatives by the Clerk.

Mr President

I am instructed to inform your Hon body that the House of Representatives have passed House Bill No 11 entitled an "Act to establish Soldiers homes in the State of Arkansas" and respectfully request your assent to the same, and also that they have rejected Senate bill No 4 entitled "An act to require County Collectors to receive Confederate States notes at their value, Arkansas War Bonds and Treasury warrants in payment of County Taxes &c" Also that the House has passed House Bill No 8 entitled "An act for the relief of assessors of this State" to which the assent of your Hon body is respectfully asked

Sept 29 1864

Edmund Burgevin
Clerk of the House

On motion of Mr Belser the Senate resolved itself into the committee of the whole to consider of the appropriation bill

Mr Bunch was called to the chair and after deliberation the Committee arose and made the following report

Mr President

The Committee of the whole have considered Senate bill No 7 entitled "an act making appropriations for the years 1865 & 1866 and part of the year 1864" and ~~have~~ instructed me to report the same back to the Senate with the following amendments and recommend its passage

Bunch Chairman

Amend the 15th paragraph by inserting in the second and third lines after the word "court," "including the expense of the Clerk while engaged in removing the records of said Court heretofore or hereafter, and the expense already or hereafter incurred in removing said records to prevent them from falling into the hands of the public enemy or being in any other manner destroyed

The sum of Six thousand dollars" (6000 00) - in lieu of the words "Four thousand (4000 00) dollars" —

Amend said paragraph further by adding the following "Provided that so much of said sum as may be necessary shall be applied to the payment of the salary of the

person who has or may hereafter discharge the duties of Attorney General under the appointment of the Supreme Court"

Amend the 3d Section of the 23d paragraph by striking out "Twenty four hundred" and inserting "Three Thousand"

Which report was received and

On motion of Mr Hampton the amendments generally adopted

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Honorable that House of Representatives have rejected Senate bill No Sixty entitled "an act to repeal certain acts separating the office of Assessor and Collector and that of the Sheriff in certain Counties, which is herewith returned

Edmund Burgwin
Clerk of the House

S.B. No 9 On leave Mr Williams introduced Senate bill No 9 to be entitled "an act for the relief of persons who have lost or had destroyed title deeds to lands"

Read the first time

On motion of Mr Williams the rules were suspended and the bill read the second time by title

On motion of Mr Stillwell the rules were further suspended the bill read the third time and passed

S.B. No 10 Mr Williams introduced Senate bill No 10 entitled "an act to pay the interest on treasury warrants & redemption thereof"

Read the first time

On motion of Mr Williams the rules were suspended the bill read the second time by title & referred to the committee on ways & means

On motion of Mr Hampton Senate Bill No 7 entitled "an act making appropriations for the years One Thousand Eight hundred & Sixty-six & One thousand eight hundred & Sixty-seven and part of the year One thousand eight hundred & sixty-seven" was taken up the rules suspended, read the third time, and passed

H.B. No 8 House bills ordered up

House bill No 8 entitled "an act for the relief of

assessors of this state" was taken up and read the first time.

On motion of Mr Bunch the rules were suspended & the bill read the second time by title

On motion of Mr Trimble the rules were further suspended & the bill read the third time

At the request of Mr Smith Mr Trimble moved to reconsider the vote, ordering the bill to ~~taken on~~ the third reading ~~of the bill~~ - which was carried.

Mr Smith offered the following amendment as additional sections viz

Sec 3 Be it further enacted that the provisions of this act extend to those sheriffs who have made assessments in their respective counties for the years 1862 or any previous years, but have not made out returns on account of a want of paper, or the proximity of the public enemy provided that the sheriff make affidavit to the same

Sec 4 Be it further enacted that where the exact amount due any sheriff for such assessment can not be ascertained the auditor shall adjust the account according to the assessment of 1861 and the fee of the sheriff for said assessment shall be the same as he received for his assessment for 1861

Which amendment was read & on Motion his motion adopted

On motion of Mr Carter the rules were suspended the bill as amended read the third time and passed

H.B. No 11 House bill No 11 entitled "an act to establish soldiers Homes in the state of Arkansas" was taken up and read the first time

On motion of Mr Trimble the rules were suspended the bill read the second time by title & referred to the committee on Ways & means

On motion of Mr Hampton Mr Trimble was added to the committee on Ways & Means

On motion of Mr Hampton the Senate adjourned until to morrow morning 9 o'clock

Wm H Belcher
President pro

Friday September 30th 1864
Senate met
Prayer by the Rev Mr Wallace
Roll called
Present Mr Pres — Adams Baker Bunch Carter Embry
Hampton Hunt Smith Stillwell Trimble Wallace Williams &
Mr President — 13
The journal of yesterday was read, approved & signed
Motions and Resolutions were in order
Mr Trimble offered the following resolution
Whereas — Since our last adjournment, it has pleased an Allwise Providence, to remove from the scenes of earth, our esteemed friend — Robert Anthony of Jackson County therefore be it —
Resolved — That in the death of Robert Anthony the Senate has lost a faithful and efficient member — the country an honest, upright and useful citizen; and his orphan children, a most kind and affectionate father, Be it further
Resolved — That in memory of the deceased the Senate will wear the usual badge of mourning for thirty days, and the Secretary of the Senate forward a copy of these Resolutions to his bereaved family

Trimble

Which was read and
On motion of Mr Smith ~~was~~ unanimously adopted
Mr Smith offered ~~the following~~ a joint Resolution declaring what Officers were necessary for the administration of the State government
S.R. 20 ||
Read the first time
On motion of Mr Trimble the rules were suspended and the Resolutions read the second time
On motion of Mr Stillwell the rules were further suspended. The Resolution read the third time & passed
Reports of Standing Committees in order
Mr Stillwell from the Committee on the Judiciary made the following report
Mr President
The judiciary Committee has considered House Bill No — entitled An act. To provide for holding elections for Senators and Representatives from the overrun districts ~~and~~ the Counties of this State,
H.B. 40 —
Also Senate Bill No 1 Entitled An Act

To authorize the qualified voters of each County in this State to vote in the army in certain cases have instructed me to report the same back to the Senate and recommend the passage of House Bill No with sundry amendments as follows

Stillwell Chairman

Amend Section 2 by inserting before the word "provided" in the 19th line the words "or Districts"

Amend by striking out the words "Division or Brigade" wherever they occur and insert the word "Squadron" after the word Battalion wherever it occurs

Amend by striking out in the Eighth line the words "the County seat" and inserting "any election precinct"

Amend by adding "Prosecuting Attorney" after "Representatives" wherever it occurs

Amend by adding the following additional sections

Sec 10 Be it further enacted that when any election shall be held in any county in which there is no clerk the judges of the election shall seal up one of the poll books, and forward the same to the secretary of state instead of sending the same to the clerk as now provided by law

Sec 11 Be it further enacted that where there is no mail by which the poll books can be transmitted to the Secretary of State then the judges of elections or the officers of the army holding the same may deputch a messenger to carry up said poll books to the secretary of state who shall give a receipt therefor which receipt shall be a sufficient voucher for the Auditor to draw his warrant on the Treasurer for such sum (out of any money in the treasury (not otherwise appropriated) as he may judge a reasonable compensation to said messenger for bringing up said poll books"

Which amendments were read and severally adopted

Message from the House of Representatives by the clerk

Mr President

I am instructed to inform your Honorable Body that the House of Representatives have

not concurred in Senate amendment to House joint resolution ~~for~~ "to pay certain officers & soldiers" and the same is returned for your further consideration

The House ~~has~~ has concurred in Senate amendment

NB No 8 ~~to House~~ to House bill No 8 entitled "an act for the relief of assessors of this state"

That the House has passed Senate bill No 7 entitled

SB No 7 "an act making appropriations for the years 1865 & 1866 & for part of the year 1864

The House has also passed Senate bill No 8 entitled

SB No 8 "an act to regulate the election of members of Congress to the House of Representatives of the Congress of the Confederate States from the state of Arkansas. which are herewith returned

I am further instructed ~~Edmund Burgevin Clerk~~

to request your Hon Body to cause Senate bill No 4 entitled ~~of the House~~

SB No 4 an act to require County collectors to receive Confederate States notes at their value as fixed by the Congress of the Confederate States Arkansas Treasury warrants & Ware bonds in payment of County taxes. rejected by the House on yesterday to be returned to the House for its further consideration.

On motion of Edmund Burgevin

Clerk of the House of Reps

On motion of Mr Stillwell House bill No — Entitled an act to provide for holding ~~an~~ elections for senators and Representatives from the various districts and counties in this State was ordered to be enrolled with the amendments by the Enrolling Secretary

Mr Hampton from the Committee on Ways & Means made the following report

Mr President

The Committee on Ways and Means have had

H.B No 11 under consideration House Bill No 11 Entitled "an act to establish Soldiers homes in the State of Arkansas" also Senate Bill No 10

Entitled "an act to pay the interest on Treasury Warrants and

SB No 10 the redemption thereof" and have instructed me to report said Bills back & recommend their passage

Hampton Chairman

Mr Williams moved that the Town of Lewisville Lafayette County be added to the provisions of the bill on title "an act to establish soldiers Homes in the ~~state~~ the state of Arkansas"

Mr Hampton moved that the Town of Warren Bradley County be added to the provisions of the Bill

Mr Wallace moved that the Town of Magnolia Columbia County be added to the provisions of this Bill. a

All of which motions were carried

On motion of Mr Hampton the Bill as amended was read the third time and passed

On motions of Mr Bunch Senate Bill No 10 Entitled an "act to pay the interest on Treasury Warrants and the redemption thereof was read the third time and passed

Mr Smith from the Committee on Claims made the following Report

Mr President

The Committee on Claims to which was referred House Bill No— Entitled an Act for the relief of O & Oats Secretary of State, have had the same under consideration and instructed me to report the same back and recommend its passage

H.B. No

Smith Chairman

Which Report was received and the Bill read the third time & passed

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Honorable body that the House of Representatives ~~that they~~ have passed House Bill No— To be entitled an Act for the supply of Salt to the indigent families of deceased Soldiers, and those now serving in the armies of the Confederate States, and respectfully ask your assent to the same

H.B. No

~~I am &c~~ The House has reconsidered the vote rejecting Senate Bill No 4 Entitled an Act to require County Collectors to receive Confederate States notes at their value as fixed by the Congress of the Confederate States, Arkansas War Bonds and Arkansas Treasury Warrants in payment of Taxes, and passed the same

S.B. No 4

Edmund Burgwin
Clerk of the House

Mr Wallace from the Committee on Ways & Means made the following report

Mr President

The committee on Ways & means to which was referred House Bill No— Entitled an act amendatory of an act for the relief of needy and destitute families of soldiers in this State. have instructed me

H.B. No

to report the same back and act sent to be discharged from the further consideration thereof

Wallace one of the Committee

Read and on motion adopted

House Bills were ordered up

House joint resolution to pay certain deceased

H.R. Officers and Soldiers was taken up and read for information

On motion of Mr Hampton the Senate receded from its amendment to said resolution

Mr Trimble was called to the Chair

House Bill No 18 Entitled "An Act for the

HB No 14 Supply of Salt to the indigent families of deceased Soldiers and those now in the service in the armies of the Confederate States" was taken up and read the first time

On motion of Mr Bunch the rules were suspended and the Bill read the second time by title

On motion of Mr Williams referred to the Committee on Ways & Means

Mr Williams on leave introduced Senate Bill No 12

SB No 12 Entitled an "Act to repeal an act to suspend the Revenue laws of this State and for other purposes approved December the 1st 1862"

Read the first time

On motion Mr Williams the rule suspended & the Bill read the second time by title

Mr Williams offered the following amendment insert after the word "years" in section 1 fourth line the words "1862" which amendment was adopted

Mr Belser moved to refer the Bill to a Select Committee which motion was lost on a division aff 5 neg 5

On motion of Mr Stillwell the Bill was referred to the Committee on Ways & Means

Mr Hampton moved that Mr Stillwell be added to the Committee on Ways & Means — lost on division aff 5 neg 6

The Committee on Ways & Means asked and obtained leave to sit

Mr Hampton from the Committee on Ways & Means made the following report

Mr President

The committee on Ways & means have had

SB No 12 under consideration Senate Bill No 12 Entitled "An act to repeal an act to suspend the Revenue laws of this State and for other purposes approved December the 1st 1862" and have instructed me to report that in the opinion of the Committee it would be inexpedient to pass said bill at this time

Hampton Chairman

Mr Williams moved to reject the recommendation of the Committee and called for the Ays & Noes

Call sustained and ordered with the following result

Ays. Messrs Smith Stillwell & Williams 3

Nays Messrs Adams Belser Bunch Carter Embry Hampton Hunt Trimble Wallace and Mr President 10

So the motion was lost

On motion of Mr Hampton the Senate took a recess until 2 Oclock P. M.

2 Oclock P. M.

Senate met

Roll called

Present Messrs Adams Bunch Carter Embry Hunt Smith Stillwell Trimble Wallace Williams and Mr President 11

HB No 20 House Bill No 20 Entitled "An act for holding elections for Senators and Representatives from the overseers districts and Counties in this State" was taken up and read for information

On Mr Stillwells motion to amend the bill by striking out the words "November the 1st 1864" ~~and insert~~ the words "January 1st 1865" which was adopted

Mr Smith offered the following amendment as an additional Section to the Bill

Section 12 Be it further enacted that the provisions of this act shall extend to any special election for members of the Congress of the confederate States or members of the General Assembly

Read and on motion of Mr Stillwell adopted

On motion of Mr Stillwell the Bill as amended was read the third time and passed

Mr Wallace on leave introduced Senate Bill

S.B. No 13 No 13 entitled "An act to declare what funds the various State Officers shall be paid in"

On motion of Mr Carter the rules were suspended and the bill read the second time

On motion of Mr Wallace the rules were further suspended ~~and~~ the Bill read the third time by title

And on motion of Mr Belser indefinitely post=
=poned

Mr ~~Bob~~ Embry from a joint Committee made the following Report

Mr President

The joint Committee to which was referred the correspondence between Senate

S.B. No 14 Committee and the Public Printer have had the same under consideration and instructed me to report the accompanying bill and recommend its passage

Embry Chairman

Which report was received and the accompanying bill entitled "An act to supply paper and other materials for printing the acts of the General assembly decisions of the Supreme Court and other work necessary for the State; read the first time

On motion of Mr Bunch the rules were suspended the Bill read the second time by title

On motion of Mr Stillwell the rules were further suspended the bill read the third and passed

Mr Bunch moved to refer that portion of the Governors message relating to the distillation of Spirituous Liquors to the Judiciary Committee which was lost on division ~~the~~ Aye—6— Neg—8—

On motion of Mr Belser the reference was made to the Committee on Ways & means

Mr Trimble introduced the following joint resolution

Resolved By the Senate the House of Representatives concurring that the General assembly do adjourn sine die on saturday the 1st day of October A.D. 1884

Which resolution was read

Mr Gimble moved its adoption which motion was lost on a division — Aff — 8 — Neg — 6

~~[illegible]~~ Mr Belser moved to adjourn until tomorrow morning 9 O'clock which motion was carried on a division — Aff 6 — Neg — 4

Jno. G. Telfair
President

Saturday October 1st 1864

Senate met

Roll called

Present — Messrs Adams Belser Bunch Carter Embry Hampton Hunt Smith Stillwell Trimble Williams and the President — 12

The journal of yesterday was read approved & signed

Message from the House of Representatives by the Clerk

Mr President

I am instructed ~~to inform your Hon body~~ by your by the House of Representatives to inform your Hon body that they have passed the following Senate Bills No 2 entitled "an act to change the penalties and punishments of certain crimes as now prescribed by law" No 10 Entitled "an act to pay the interest on treasury warrants & redemption thereof" No 14 Entitled "an act to provide printing paper and other material to print the acts of the General assembly, the decisions of the Supreme Court and other blanks necessary for the State which are herewith returned.

The House has amended and passed Senate Bill No 5 entitled "an act to authorize the issuance of letters of administration in certain cases not now authorized by law" Also Senate Bill No 8 entitled an act for the relief of the widow and heirs of Henry H Davis of Clarke County, which are herewith returned for your concurrence. The House also adopted Senate Joint Resolution declaring what officers are necessary for the administration of the State Government, which is herewith returned. The House have also passed the following House bills "an act for the relief of Capt John Conley of Gen Cobb's Cavalry" "an act making appropriations to carry into effect an act for the relief of

Pensioners in the State of Arkansas" An act to amend Chapter 162 of Gould digest relating to slaves" "An act to provide cotton & wool cards and medicine for the families of Soldiers and paper for the officers of the State and Counties and for other purposes" "An act to prevent the County Courts from levying exorbitant taxes".
"An act to change the time of the meeting of the next Legislature.

The House has refused to concur in Senate amendment to House Bill No 11 entitled An act to establish Soldiers Homes in the State of Arkansas which is herewith returned for your further consideration

The House has also adopted a Joint Resolution in relation to the impressment of teams, by the Military authorities, which is herewith transmitted and to which your assent is respectfully asked

Also House Joint resolution relative to printing laws and furnishing copies

Edmund Burgevin
Clerk of the House

Motions and Resolutions in order

Mr Stillwell was called to the Chair

Mr President offered a joint Resolution in reference to our Military authorities

Read the first time

On motion of Mr Hampton the rules were twice suspended the resolution read the second and third time and unanimously adopted

Report of Standing Committees in order

Mr Williams from the Committee on Enrolled Bills made the following report

Mr President

The Committee on Enrolled Bills have examined Senate Bill No 3 entitled An act to regulate the election of members of Congress to the House of Representatives of the Congress of the Confederate States from the State of Arkansas, also Senate Bill No 4 entitled An act to require County Collectors to receive Confederate Notes at their value as fixed by the

Congress of the Confederate States and Arkansas War Bonds and Arkansas Treasury Warrants in the payment of County Taxes and fixing the same correctly enrolled

Williams Chairman

Introduction of Bills in order

S.B. 4015 Mr Williams introduced Senate Bill No 15 entitled "an act to change the place of holding the election in Ozan Township Hempstead County Arkansas"

Read the first time

On motion of Mr Williams the rules were suspended and the Bill read the second time by title

On motion of Mr Stillwell the rules were further suspended the Bill read the third time and passed

House Bills were ordered up

H.J.Res House Joint Resolution "providing that the laws passed at the present General Assembly be published in the Washington Telegraph and copies forwarded to members of the General Assembly and other State Officers" was taken up and read the first time

On motion of Mr Williams the rules were twice suspended the resolution read the second & third times and adopted

HB No 11 House Bill No 11 entitled "an act to establish Soldiers Homes in the State of Arkansas" was taken up

On motion of Mr Bunch the Senate receded from its amendments to said bill

H.B. No House Bill No entitled "an act to amend Chapter 162 of Gould's Digest relating to Slaves" was taken up and read the first time

On motion of Mr Stillwell the rules were suspended and the bill read the second time by title and on motion of Mr Hampton referred to the Committee on the Judiciary

H.B. No House Bill No entitled "an act for the relief of Capt Sarah Conley of Bell County Arkansas" was taken up and read the first time

On motion of Mr Williams the rules were suspended the bill read the second time and referred to the Committee on Claims

H.B. No— House Bill No— entitled "an act making appropriation to carry into effect an act entitled an act for the relief of Pensioners in this State" was taken up and read the first time

On motion of Mr Smith the rules were suspended and the Bill read the second time by title

On motion of Mr Williams the rules were further suspended the bill read the third time and passed

H.B. No— House Bill No— entitled "an act to prevent the County Courts from levying exorbitant taxes" was taken up and read the first time

On motion of Mr Trimble the rules were suspended the bill read the second time by title and referred to the Committee on Ways & Means

H.R. House joint Resolution in relation to the impressment of teams was taken up and read the first time

On motion of Mr Embry the rules were suspended the Resolution read the second time by title and referred to the Committee on the Judiciary

H.B. House Bill No— entitled "an act to change the time of the meeting of the next Legislature" was taken up and read the first time

On motion of Mr Bench the rules were suspended the Bill read the second time by title and referred to the Committee on the Judiciary

HB No 16 House Bill No 16 entitled "an act to provide Cotton & Wool cards and medicines for the families of Soldiers and paper for the Officers of the State and Counties and for other purposes" was taken up and read the first time

On motion of Mr Williams the rules were suspended the bill read the second time by title and referred to the Committee on Ways & Means

On motion of Mr Hampton, Mr Williams was added to the committee on Ways & Means

S.B. No 16 Mr Williams on leave introduced Senate Bill No 16 entitled "an act supplemental to an act providing for holding elections for Senators and Representatives in the overrun districts and Counties in this State

passed at the present Session of the General assembly"
Read the first time

On motion of Mr Williams the rules were suspended and the bill read the second time by title

Mr Bunch moved to amend by striking out the word "twenty" days and inserting the word "twenty" in lieu thereof which amendment was adopted

On motion of Mr Carter the rules were further suspended the bill as amended read the third time and passed

S.B. No 8 Senate Bill No 8 entitled "An act for the relief of the widow and heirs of Henry H Davis deceased of Clark County" was taken up and read with the amendments proposed by the House

On motion of Mr Smith the first amendment was concurred in by the Senate

Mr Smith moved to concur in the second amendment which motion was lost

S.B. No 5 House amendment to Senate bill No 5 entitled "An act to authorize the issuance of letters of administration in certain cases not now authorized by law" was taken up and the amendments proposed by the House concurred in

Mr Bunch from the Committee on Ways & means made the following report

Mr President

The Committee on Ways & Means

S.B. No 17 To which that part of the Governors Message relative to the distillation of Spirituous liquors was referred have considered the same and instructed me to report the accompanying Bill and recommend its passage

Bunch Chairman

Which report was received and the accompanying bill read the first time

On motion of Mr Trimble the rules were twice suspended the Bill read the second & third times and passed

Mr Hampton moved to reconsider the vote of non concurrence in the second House amendment to Senate Bill No 8 entitled "An act for the relief of the widow and heirs of Henry H Davis deceased of Clark County" which motion was carried

On motion of Mr Belser the amendment was concurred in by the Senate

On leave Mr Bunch made the following report

Mr President

The Committee on Ways & Means

H.B. No 18 have considered House bill No 18 entitled "an act for a supply of salt to the indigent families of deceased Soldiers and those now serving in the armies of the Confederate States" and instructed me to report the same back to the Senate with sundry amendments and as amended recommend its passage

Bunch Chairman

Amend the third line of 1st Section by striking out the word "one" and inserting the word two in lieu thereof.

Amend Section 2 by adding "provided that no person liable to perform military duty shall be appointed either State or Sub Agent" which amendments were read & adopted

On motion of Mr Bunch the bill as amended was read the third time and passed

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Hon body that the House of Representatives, has passed House Joint Resolutions relating to destitute farmers and planters

Joint Preamble and resolutions concerning B.F. Black and his son Charles. Potters of Calhoun county. House resolution in relation to the manufacture of Cotton Cards in the County of Columbia

H B No 17 House Bill No 17 entitled "an act to require Executors and Administrators to appoint agents and to provide for the appointment of Guardians in certain cases" to which your assent is respectfully asked. The House has also passed Senate

S B No 9 Bill No 9 entitled "an act for the relief of persons

who have lost or had destroyed title deeds for lands
The House has also amended ~~Sen~~ & passed Senate Bill
No 18 entitled An act to change the place of holding
the election in Ozan Township Hempstead County
Arkansas which is herewith returned for your
further consideration

Edmund Burgevin
Clerk of the House

Mr Wallace was called to the chair
On motion of Mr Williams Mr Hunt was addit=
=ed to the Committee on Claims
Message from the Governor

Executive Department
Washington Arkansas
October 1st 1864

To the Senate of the
State of Arkansas

I have the honor to inform your
Honorable body, that the act entitled An act to require
County Collectors to receive Confederate Notes at
their value as fixed by the Congress of the Confed=
=erate States Arkansas war bonds and Arkansas
Treasury Warrants in payment of County Taxes
has been approved

H. Flanagin

Message from the House by the Clerk
Mr President

I am instructed to inform your Hon.
B.R. body that the House has amended and adopted Senate Joint Resolution
in reference to Military affairs, which is herewith
returned and your concurrence respectfully asked

Edmund Burgevin
Clerk of the House

H.R. House Joint Resolution concerning S F Be=
=ard and his son Charles Potter of Calhoun
County was taken up and read the first time
On motion of Mr Trimble the rules were
suspended & the resolution read the second time
On motion of Mr ~~Trimble~~ Williams the rules were
further suspended the Resolution read the third
time and rejected

Message from the House of Representatives by the Clerk

Mr President

I am instructed by the House of Representatives to inform your Honorable Body that they have passed House Bill No— entitled "an act for the benefit of William Holstein Hargroves of Hempstead County Arkansas which is herewith transmitted for the assent of your Hon Body which is respectfully asked

H.B.

Edmund Burgevin Clerk of the House

House Joint Resolution in relation to the manufacture of Cotton Cards in Columbia County Arkansas was taken up and read the first time

On motion of Mr Williams the rules were twice suspended the Resolution read the second & third times and passed on division Aff 6— Negs 5—

Mr Hampton moved to reconsider the vote rejecting House joint Resolution concerning S. F. Black and his son Charles Potters of Calhoun County which motion was carried and on his further motion the resolution adopted

H.R

House joint Resolution "providing for the exemption of Planters & Farmers from Military Service under certain restrictions" was taken up and read the first time

HR

On motion of Mr Williams the rules were suspended and the Resolution read the second time by title

On motion of Mr Hampton the rules were further suspended the Resolution read the third time and adopted

H.R.

House Bill No 17 entitled "an act to require executors and Administrators to appoint agents and to provide for the appointment of Guardians in certain cases" was taken up and read the first time

HB No 17

On motion of Mr Smith the rules were suspended the Bill read the second time by title and referred to the Committee on the Judiciary

House Bill No— entitled "an act for the benefit of William Holstein Hargroves of Hempstead County Ark Kansas"

Was taken up and read the first time

On motion of Mr Smith the rules were suspended the bill read the second time

Mr Smith moved to refer the bill to the Committee on the Judiciary which motion was lost on a division— Aff 5— Neg 5—

On motion of Mr Hampton the rules were further suspended the bill read the third time & passed

S.B. No 15 Senate Bill No 15 entitled "An act to change the place of holding the election in Organ Township Hempstead County Arkansas" was read with the amendments proposed by the House

On motion of Mr Williams the Senate concurred in said amendments

S B No 9 House amendments to Senate Bill No 9 entitled "An act for the relief of persons who have lost or had destroyed title deeds to land" were taken up read and on motion of Mr Williams concurred in by the Senate

House amendment to Senate joint resolution in reference to our military authorities was taken up and read and

On motion of Mr Williams concurred in by the Senate

Mr Smith from the Committee on Claims made the following report

Mr President

The Committee on Claims to which was referred House Bill No— entitled "An act for the relief of Captain John Conley of Yell County Arkansas" have had the same under consideration and instructed me to report the same and recommend its passage

Smith Chairman

Which report was read and received and

On motion of Mr Hart the rules were suspended the bill read the third time and passed

On motion of Mr Stillwell ~~the~~ the Senate took a recess ~~adjourned~~ until 2 o'clock P M

2 O'clock P.M.

Senate met

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Hon body that the House has passed House Bill No— entitled "An act for the benefit of Jane Fritts" which is herewith transmitted for your consideration an action

H.B.

Edmund Burgevin
Clerk of the House

Mr Williams from the Committee on Enrolled Bills made the following Report

Mr President

The Committee on enrolled Bills have examined Senate Bill No 7 entitled "An act making appropriations for the years 1865 & 1866 and part of the year 1864 & fixed the same correctly enrolled

SB No 7

Williams Chairman

Mr Hampton from the Committee on Ways & Means made the following Report

Mr President

The Committee on Ways & Means have considered House Bill No— entitled "An act to prevent the County Courts from levying exorbitant Taxes" and House Bill No 16 entitled "An act to provide cotton and Wool Cards & medicines for the families of Soldiers and paper for the Officers of the State and Counties and for other purposes" and instructed me to report the same back and recommend their passage

H.B

H.B. No 16

Hampton Chairman

read and received

On motion of Mr ~~Hampton~~ Bunch House Bill No— entitled "an act to prevent the County Courts from levying exorbitant Taxes" was read the third time & passed

On motion of Mr Hampton House Bill No 16 entitled "an act to provide cotton and Wool cards & medicines for the families of Soldiers and paper for the Officers of the State and Counties and for other purposes" was read the third time & passed

S.B. No 18 Mr Embry introduced Senate Bill No 18 entitled "an act in relation to Congressional elections"

Read the first time

On motion of Mr Embry the rules were suspended the bill read the second time by title and

On motion of Mr Williams referred to the Committee on the Judiciary

HB House Bill No— entitled "an act for the relief of Jane Gritts" was taken up and read the first time

On motion of Mr Hampton the rules were twice suspended the Bill read the second and third times and passed

SB No 19 Mr Williams introduced Senate Bill No 19 entitled "An act to amend an act to provide for the issuance of Treasury Warrants of small denominations and for the redemption of Arkansas war bonds approved Nov the 18th 1861"

On motion of Mr Williams the rules were twice suspended and the bill read the second and third times and rejected

Mr Stillwell from the Judiciary Committee made the following report

Mr President

The Judiciary committee has con-

H.B. No 17 -sidered House Bill No 17 entitled "an act to require Executors & Administrators to appoint agents and provide for the appointment of Guardians in certain cases" and instructed me to report the same and recommend its passage, with the following amendment.

Stillwell Chairman

Amend by striking out the 3d 4th & 5th Sec-tions

Read and received and the amendment adopted

On motion of Mr Stillwell the bill as amended was read the third time & passed

On motion of Mr Stillwell the title of said bill was amended by striking out all after the word "agents"

Message from the House of Representatives by the Chief

Mr President

I am instructed to inform your Hon body that the House of Representatives has passed

SB No 16 Senate Bill No 16 entitled "an act supplemental to an act to provide for holding elections for Senators & Representatives in the several districts and counties in this state passed at the present session of the General Assembly which is herewith transmitted

Edmund Burgess
Clerk of the House

Mr Stillwell from the Judiciary Committee made the following Report

Mr President

The Judiciary Committee has considered

H.B. House Bill No — entitled "an act to change the time of the meeting of the next Legislature" and instructed me to recommend its passage with the Resolution herewith submitted

Stillwell Chairman

Which report was received and

On motion of Mr Stillwell the bill read the third time & passed

Mr Stillwell moved to amend the title of said bill by striking out the word "Legislature" and inserting the words General Assembly in lieu thereof

Which motion was carried

Mr Stillwell moved the adoption of the following Resolution recommended by the Committee on the Judiciary

Resolved — That (the House concurring) the two Houses meet in convention at 4 O'clock this evening for the purpose of electing an Auditor State Treasurer and State Printer

Which Resolution was read the first time

On motion of Mr Stillwell the rules were suspended and the Resolution read the second time

Mr Stillwell moved to amend by striking out the word "four" off the word at and inserting ~~seven~~

Which amendment was adopted

On motion of Mr Stillwell the rules were further suspended & the resolution read the third time

Mr Hampton called for ~~a call~~ for the Ayes & Nays on its adoption

Call Sustained and ordered with the following Recast
Yeas — Messrs Adams, Smith, Belser, Porter, Emitry, Stillwell, Trimble
Wallace & Williams — 8 Nae.
Nays Messrs Bunch, Hampton, ~~Smith~~, Trimble, Stillwell
and Mr President — So the resolution was adopted

Mr Stillwell from the Judiciary Committee made the following Report

Mr President

The Judiciary Committee has considered House Bill now entitled "an act to amend Chapter 162 of Gould's Digest relating to Slaves" and instructed me to recommend its rejection

H.B

Stillwell Chairman

Which report was read and adopted and the Bill therefore rejected

Message from the Governor

Executive Department
Washington Arkansas
October 1st 1864

To the Senate of the
State of Arkansas

I have the Honor to inform your Hon Body that the Bill entitled "an act making appropriation for 1865 & 1866 and part of the year 1864 has been approved

H. Flanagin

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Honorable Body that the House have concurred to Senate amendments to substitute House Bill entitled "an act to change the time of meeting of the next Legislature"

H.B

Also that the House has concurred in Senate amendments to House Bill No 17 entitled "an act to require executors & administrators to appoint agents and to provide for the appointment of guardians in certain cases".

H.B No 17

Edmund Burgevin
Clerk of the House

Message from the House of Representatives

by the clerk

Mr President

I am instructed to inform your Honorable Body that the House has not concurred in senate resolution to meet in convention for the purpose of electing an Auditor State Treasurer & State printer which is hereunto returned

Edmund Burgevin

Clerk of the House

S.R No 20 Mr Williams offered a joint Resolution in relation to the terms of State officers

Which was read the first time

On motion of Mr Williams, the rules were suspended and the resolution read the second time by title

On motion of Mr Stillwell the rules were further suspended the resolution read the third time and adopted

On motion of Mr Stillwell the Senate took a recess until 7 O'clock P. M.

7 O'clock P M

Senate met

Roll called

Present Mr Speaker Adams Carter Hampton Hunt Smith Stillwell Trimble Wallace Williams and Mr President — 10

Mr Stillwell from the Judiciary committee made the following report

Mr President

The Judiciary Committee has consid-

HR ered House Resolution concerning impeachments and instructed me to report the same and recommend the concurrence of the Senate therein

Read and received ~~the rules were suspended~~

On motion of Mr Stillwell, the Senate concur-

red in said Resolution

Mr Stillwell further from said Committee made the following report

Mr President

The Judiciary Committee has consid-

SB No 18 Senate Bill No 18 entitled "an act in relation to congressional

Elections and instructed me to report the same and recommend the passage of the accompanying Substitute thereto

Stillwell Chairman

Which Report was read & received and the accompanying Substitute bill read the first time

On motion of Mr Stillwell the rules were twice suspended and the bill read the second & third times & passed

Mr Hampton was called to the Chair

Mr President offered the following Resolution

SR Resolved That the thanks of the Senate be tendered the Citizens of Washington and its vicinity for the kindness and hospitality exhibited by them to its members during their sojourn among them at the present Session.

Read and on motion of Mr Stillwell unanimously adopted

Message from the House of Representatives by the Clerk

Mr President

I am instructed to inform your Honorable Body that the House has concurred in Senate joint Resolution in relation to bonds of State Officers which is here with returned

Edmund Burgevin
Clerk of the House

Mr Gruber offered the following resolution

Resolved That the thanks of the Senate are hereby tendered Hon Thomas Fletcher President of the Senate for the able dignified and impartial manner, in which he has discharged the duties of the Chair

Which was read and

On motion of Mr Carter unanimously adopted

Mr Smith offered the following Resolution

Resolved That the thanks of the Senate are hereby returned to the Secretary Assistant Secretary. Enrolling Secretary & Sergeant at Arms for the faithful and efficient manner in which they

Mr President

I am instructed to inform your Hon Body that the House of Representatives has passed House Bill entitled an act, supplemental to an act which is supplemental to an act passed at the present session of the General Assembly entitled "An act to regulate the elections of members of" Congress of the House of Representatives of the Confederate States from the State of Arkansas which is herewith presented for your consideration and assent

Respectfully
Edmund Burgessin
Clerk of House of Rep

have discharged their respective duties
Which was read and
On motion of Mr Williams ~~and~~ adopted
Message from the House of Representatives
by the Clerk
Mr President
I am instructed to inform your Hon
Bill 18 Body that the House has passed Substitute for
Senate Bill No 18 entitled "An act supplemental
to an act passed at the present Session of the
General Assembly entitled an act to regulate the
Election of Members of Congress to the House of
Representatives of the Congress of the Confederate
States from the State of Arkansas
Edmund Burgevin
Clerk of the House
On motion of Mr Stillwell the Senate
adjourned until tomorrow morning 8 O'clock
Thos J Fletcher.
President.

Sunday October 2nd 1864
Senate met
Prayer by the Reverend Mr Wallace
Roll called
Present Messrs- Adams, Baker, Bunch, Carter, Embry,
Hampton, Hunt, Smith, Stillwell, Trimble, Wallace, Williams,
& Mr President -13
The journal of yesterday was read approved & signed
Message from the House by the Clerk
Mr President
I am instructed to inform your Hon body
that the House of Representatives has passed on yesterday
House joint Resolution "declaring the suspension
of the civil laws", which is herewith presented
for your consideration and approval
Edmund Burgevin
Clerk of House
Message from the House of Representatives
On motion of Mr Williams House bill No — entitled
"an act supplemental to an act, supplemental to an act

passed at the present session of the General assembly entitled "an act to regulate the electing of member of Congress to the House of Representatives of the Congress of the Confederate States from the State of Arkansas" was read an upon read the first time

On motion of Mr Smith the rules were twice suspended the bill read the second and third times and passed

Mr Williams from the Committee on Enrolled Bills made the following report

Mr President

The committee on Enrolled Bills have examined Senate Bills

No 3 entitled "an act to authorize the issuance of letters of administration in certain cases not now authorized by law"

No 5 entitled "an act to change the penalties and punishments of certain crimes as now prescribed by law"

No 8 entitled "an act for the relief of the widows & heirs of Henry H. Davis late Clerk & County & others"

No 9 entitled "an act for the relief of person who have lost or had destroyed title deeds to lands"

No 10 entitled "an act to pay the interest on Treasury warrants and the redemption thereof"

No 11 entitled "an act to provide printing paper and materials to print the Act of the General assembly the decisions of the Supreme Court and other necessary work for the State"

No 15 entitled "an act to change the place of holding the election in Ozan Township Hempstead County Arkansas"

Also substitute for Senate Bill No 18 entitled "an act supplemental to "an act passed at the present session of the General Assembly entitled an act to regulate the election of Members to Congress to the House of Representatives of the Congress of the Confederate States from the State of Arkansas"

Also Senate Bill No 16 entitled "an act supplemental to an act "entitled an act to provide for holding elections for Senators and Representatives in the overrun districts and counties in this State" passed at the

present session of the General assembly

Also joint Resolution in reference to our Military authorities

Also joint Resolutions in reference to Lands and State Officers

Also joint Resolution declareing what Officers are necessary for the administration of the State Government all of which is correctly Ensolled

Williams Chairman

On motion of Mr William Howe joint Resolution declareing the Supremacy of the civil law" was taken up and read the first time

On motion of Mr Stilwell the rules were suspended & the Resolution read the second time

Mr Stilwell moved to amend by striking out the word "Legislature", wherever it occurs in the Resolution. and inserting General Assembly in lieu thereof.

Which amendment was adopted

On the further motion of Mr Stilwell the rules were suspended the resolution as amended read the third time & adopted

Mr Trimble offered the following Resolution

Resolved That a Committee of two be appointed on the part of the Senate, to act with such Committee as may be appointed on the part of the House of Representatives, to wait on His Excellency the Governor and inform him, that General assembly have completed the business of the Special Session and are now ready to adjourn Sine Die

Mr Williams offered the following resolution

Resolved That the House concurring the two Houses ~~adjourn~~ of the General Assembly adjourn this day at 5 o'clock Sine die which was read & adopted

Message from the House

Mr President

I am instructed to inform your Honorable that the House has concurred in Senate Resolution to adjourn this day at 5 o'clock

Edmund Burgoyne
Clerk of the House

Message from the Governor

Executive Department
Washington Arkansas
October 1st 1864

To the Senate of the
State of Arkansas

I have the honor to inform your Hon Body that I have assented
The Bill to be entitled an act change the penalties and punishment of certain crimes as now prescribed by law
The Bill to be entitled an act to regulate the elections of members of Congress to the House of Representatives of the Congress of the Confederate States from the State of Arkansas
The act to authorize the issuance of letters of administration in certain cases not now authorized by law
The act for the relief of the widow and heirs of Henry. H. Davis of Clay County and other
The Bill to be entitled an act to pay the interest on Treasury warrants and the redemption thereof
The Bill to be entitled an act to provide printing paper and material to print the Acts of the General Assembly and the decisions of the Supreme Court and other necessary work for the State
The act in relation to the holding election in Washington Org an Township Hempstead County on Monday 3d of October 1864
The act to be entitled an act supplemental to an act entitled an act for holding elections for Senators and Representatives in the overrun districts and Counties in this State passed at the present Session of the General Assembly
The act to be entitled an act supplemental to an act passed at the present Session of the General Assembly entitled an act to regulate the elections of members of Congress to the House of Representatives of the Congress of the Confederate States from the State of Arkansas

The resolutions respecting bonds of the Auditor State Treasurer and Public Printer
The Resolution Complimentary of Gen. E Kirby Smith.

Mr Timble made ~~offered~~ the following Report ~~Resolution~~ H. Flanagin

Mr President

The joint committee appointed to wait upon His Excellency the Governor have performed that duty & His Excellency has instructed me to report that he has no further communication to make and he sees no reason why the General Assembly might not adjourn whenever it may sent their convenience to do so

Read & received.

Mr Williams offered the following resolution

Resolved That the House concurring the two Houses of the General Assembly adjourn this day at 5 O'clock Sine Die

Which was read & adopted

Mr President then announced that pursuant to resolution the Senate stand adjourned Sine Die

S H Bayless
Secretary
Senate

Thos. Fletcher
President of Senate